

### REMARKS

In the Office Action dated August 24, 2004, claims 13, 21, 26, and 41 were objected to due to informalities; claim 40 was rejected under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention; claims 1-3, 5, 6, 8, 9, 15-17, 23-27, 30-32, 36-39, 41, and 42 were rejected under 35 U.S.C. § 102 over U.S. Patent No. 5,764,639 (Staples); claims 4, 10-13, 18-22, 33-35, and 40 were rejected under § 103 over Staples in view of U.S. Patent No. 6,028,917 (Creamer) and the alleged "Applicant's Admitted Prior Art (AAPA)"; claims 7, 28, and 29 were rejected under § 103 over Staples in view of Creamer; and claim 14 was rejected under § 103 over Staples in view of Creamer and U.S. Patent No. 6,449,483 (Akhteruzzaman).

Claims 24, 32, 36, 41, and 42 have been cancelled, without prejudice, to render the rejections of those claims moot.

Claims 13, 21, 26, and 40 have been amended to address the formal objections and rejection. The scope of each of claims 13, 21, and 26 has not been changed by the amendment.

Claim 1 has been amended to recite a method of controlling communications in a network that comprises receiving a request to route signaling and traffic associated with a first terminal to a second terminal, and in response to the request, sending a message to the first terminal that signaling and traffic associated with the first terminal is to be re-routed.

Staples does not disclose the sending of a message to the first terminal as recited in claim 1. In Staples, a remote computer system 102 is able to send a call to a virtual presence server 106 to cause the virtual presence server 106 to send a message to a PBX 112 to initiate remote call forwarding of all telephone calls to an extension of the remote user to the location of the remote user (at the remote computer 102). Staples, 18:29-19:25. The initiation of call forwarding in the PBX 112 of Staples does not cause the PBX (or the virtual presence server 106) to send a message to a terminal in the local office of the remote user that signaling and traffic associated with the terminal in the local office is to be re-routed. Therefore, claim 1 is not anticipated by Staples.

Claim 3 has been amended from dependent form to independent form, with the scope of the claim remaining *unchanged*. Claim 3 was rejected under § 102 over Staples. However, in the text supporting the rejection of claim 3, the Office Action stated: "obvious to one of ordinary skill in the art to implement the association in the PBX server as a table." 8/24/2004 Office

Action at 6. The statement that the table recited in the claim would be obvious over the association in the PBX taught by Staples is an implicit admission by the Office Action that the table recited in claim 3 is *not* disclosed by Staples. Therefore, the anticipation rejection of claim 3 is clearly defective. Moreover, Staples teaches that the PBX initiates call forwarding in response to a request from the remote user to direct calls to the remote location. There does not appear to be any need whatsoever of a table that associates the logical identifiers with *identifiers of the first and second terminals*. Note that the table of claim 3 associates the logical identifier with *identifiers* (note plural sense) of the first and second terminals. Call forwarding, as performed in Staples, merely causes the PBX to make an association of one telephone number with another telephone number. In view of the foregoing, claim 3 is not anticipated by Staples.

Independent claim 16 has been amended to recite instructions that when executed causing a system to receive a request to establish a first terminal as a clone of a second terminal; in response to the request, associate a first logical port between a telephony proxy server and a switch module with both the first and second terminals; receive, at the switch module, a call request specifying the second terminal as the target; forward, by the switch module, the call request over the first logical port to the telephony proxy server; and route, by the telephony proxy server, the call request to the first terminal.

The interaction between a switch module and the telephony proxy server as recited in claim 16 does not exist in Staples. First, there is no indication of associating a first logical port between the telephony proxy server and the switch module with both first and second terminals in Staples. No such associating of such a logical port exists between the PBX 112 and the virtual presence server 116 in Staples.

Moreover, upon receiving a call request, the PBX 112 of Staples merely forwards the call to the remote location – the PBX 112 does not forward the call request to the virtual presence server, with the virtual presence server routing the call request to the remote terminal.

For the foregoing reasons, claim 16 is not anticipated by Staples.

Independent claim 23 has been amended to recite a control module to, in response to a request from a first terminal, define the first terminal as a clone of a second terminal, with the control module adapted to further: store a table associating identifiers of the first and second terminals with a first logical port; receive a call request containing a first logical identifier associated with the first and second terminals; in response to the call request, alert both the first

and second terminals; and *based upon whether the first terminal or second terminal answered the call request, update the table to indicate that the one of the first and second terminals that answered the call request is the terminal to which subsequent call requests containing the first logical identifier are to be directed.*

There is absolutely no indication whatsoever of updating a table associating identifiers of first and second terminals with a logical port based upon which of the first or second terminals answered a call request. Therefore, Staples does not anticipate claim 23.

Independent claim 37 was rejected as being anticipated by Staples.

Claim 37 has been amended to recite a system having a plurality of soft client modules executable on a control unit, where each soft client module is adapted to send a request to a server on the network to select one of the terminals to clone, wherein the soft clients become clones of respective terminals. The Office Action identified a branch office server 160 of Staples (Figs. 4 and 5 of Staples) as containing the soft clients. However, the branch office server 160 does not contain soft clients that become clones of respective terminals. Therefore, claim 37 is also not anticipated by Staples.

Dependent claims, including newly added dependent claims 43 and 44, are allowable for at least the same reasons as corresponding independent claims. In view of the amendment of each of the independent claims, the obviousness rejections of the dependent claims have been rendered moot. Allowance of all claims is respectfully requested. The Commissioner is authorized to charge any additional fees and/or credit any overpayment to Deposit Account No. 20-1504 (NRU.0004US).

Respectfully submitted,

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